

CONSUMER CHOICE SUPPORT AND EDUCATION ACT

Section 1: Establishment of a Consumer Choice Support and Education Program

The purpose of a consumer choice, support and education program is to provide to older Iowans more information regarding and choices in the services which allow them to age successfully.

The consumer choice, support and education program shall use a standardized process to identify an individual's functional and cognitive capacity, health conditions, supportive service needs, environment, and preferences.

The Consumer Choice Support and Education Program will be housed in the Department of Human Services. The Department of Human Services shall consult with the Senior Living Coordinating Unit on the development and implementation of the Consumer Choice Support and Education Program.

Activities of the Consumer Choice Support and Education Program shall include but not be limited to:

- 1) developing a standardized process to identify an individual's functional and cognitive capacity, health conditions, supportive service needs, environment, and preferences and develop an initial plan of care.
- 2) establishing the mechanisms for implementing the consumer choice, support and education process
- 3) evaluating the consumer choice, support and education program including quality outcomes, consumer satisfaction and fiscal impacts
- 4) utilizing a competitive procurement process to contract with entity(ies) to conduct the consumer choice, support and education process.
- 5) ensuring that the consumer choice, support and education process is coordinated and complies with all applicable federal and state requirements and programs.

Section 2: Participation in the Consumer Choice Support and Education Program

Participation in the Consumer Choice Support and Education program must be completed prior to admission to all licensed nursing facilities and the Medicaid Elderly Home and Community Based Services program. If it is medically necessary for immediate admission into a licensed nursing facility, the program shall be completed as soon after admission as possible but no later than five working days after referral. Re-assessment at regular (90 days?) intervals or change of status.

(Pull Medicare Re-hab language: try to accommodate and exempt Medicare rehab admissions which don't exceed xxx number of days, allow maximum use of Medicare benefits, will Medicare want assessments before admission to place more rehab at home?)

Any individual 60 years of age or older may choose to participate in the Consumer Choice Support and Education Program. Any individual under 60 of years of age who has a medical need for long term living services may also participate in the program.

Subject to allocated resources, the Consumer Choice Support and Education program shall be available free of charge to all those individuals who are required or eligible to participate.

Section 3: Guidelines for Conducting the consumer choice, support and education standardized process.

Entity (ies) who conduct the standardized process shall be independent from providers of long term living services.

Entity (ies) to conduct the consumer choice support and education standardized process shall be selected by a competitive procurement process. The competitive procurement process must ensure that :

- a. Older Iowans in every county of the state have access to the assessment process.
- b. Successful applicant/s must assure an objective and accurate evaluation of the individual's needs and be able to support/educate individuals and their families about their choices for long term living.
- c. Successful applicants meet minimum training requirements
- d. The Consumer Choice, Support and Education process must be completed on-site and level of care determination and initial care plan shall be determined within five working days of referral.
- e. If the provider refuses to cooperate to complete the Consumer Choice, Support and Education process services, the provider will be assessed a penalty of \$1000 per individual. (What about someone who goes into a nursing facility despite an assessment that NF is unnecessary?) No Medicaid payment until assessment is completed.

Section 4: Effective Date

The Consumer Support and Education Program shall be implemented by January 1st, 2006.

The Consumer Support and Education Program shall be required of any individual entering a licensed nursing facility or Medicaid Elderly HCBS, as of implementation date.